

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DANIEL HARRISON,

Plaintiff,

vs.

No. 1:21-cv-00395-KWR-JFR

**WELLPATH, LLC, THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF CURRY, PRESBYTERIAN HEALTHCARE
SERVICES, INC, d/b/a PLAINS REGIONAL MEDICAL CENTER, RADIOLOGY
ASSOCIATES OF ALBUQUERQUE, P.A., PETER DURSO, MD, ENRIQUE
BURSZTYN, M.D., KEISHA J. BRADLEY, RN, LACI HAND, RN,
EMPLOYEES JANE/JOHN DOES 1 (employees, staff, agents of Wellpath),
And EMPLOYEES JANE/JOHN DOES II (law enforcement, employees of
The Board of County Commissioners of Curry County),**

Defendants.

ORDER STAYING PROCEEDINGS

THIS MATTER having come before the Court upon Plaintiff's Motion to Stay Proceedings (**Doc. 63**) and the Court being fully advised in the premises, **HEREBY FINDS AND ORDERS AS FOLLOWS:**

1. Defendants Radiology Associates of Albuquerque, PA and Enrique Bursztyn, M.D., were qualified healthcare providers during the times referenced in Plaintiff's First Amended Complaint filed on April 6, 2022.
2. Defendants Radiology Associates of Albuquerque, PA and Enrique Bursztyn, M.D., are entitled to the provisions of the New Mexico Medical Malpractice Act, NMSA 1978 § 41-5-1, et seq.
3. The stay will be lifted twenty-one (21) days after the New Mexico Medical Review Commission issues a written decision.

4. The period of time leading up to the expiration of the stay shall not count against the Plaintiff's one hundred and eighty (180) day time limit specified under NMRA 1-041(E)(2).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this matter be **STAYED** in accordance with the above ruling.

IT IS FURTHER ORDERED that upon rendering of a written decision by the New Mexico Medical Review Commission, the parties **SHALL FILE** a joint status report advising the Court that the stay should be lifted.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Bridget Hazen
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Approved as to form:

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